

Message Text

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CIAE-00 CIEP-02 COME-00 DODE-00 DOTE-00 EB-07 EPA-04

ERDA-07 FEAE-00 FMC-02 TRSE-00 H-02 INR-07 INT-05

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FROM LOS DEL

E.O. 11652: N/A

TAGS: PLOS

SUBJECT: LOS: MEETING OF SMALL CONSULTATIVE GROUP OF
COMMITTEE II ON LEGAL STATUS OF ECONOMIC ZONE- AUG. 23

1. THE SMALL GROUP CHAIRED BY NJENGA (KENYA)
HALED CONSULTATIONS ON THE LEGAL STATUS OF THE ECONOMIC
ZONE. EVEN THOUGH EXTREMIST STATUS (URUGUAY, PERU,
TANZANIA) CONTINUE TO PINT ISSUE AS NON-NEGOTIABLE,
THERE APPEARS TO BE MOVEMENT TOWARDS FOCUSING
ON THE SIXTH REVISION OF EVENSEN TEXT (GENEVA 1975)
ON THE ECONOMIC ZONE AS MEANS OF MAKING PROGRESS. US
PRESENTED PROPOSED AMENDMENTS TO ARTS. 44, 46 AND 75
OF LAST SESSION AND AGREED IT COULD SUPPORT FOCUSING
ON EVENSEN TEXT AS COMPROMISE.

2. CANADA AND NORWAY EMPHASIZED THE UTILITY OF
BASING NEGOTIATIONS ON THE EVENSEN TEXT. AUSTRALIA
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IN A VERY MODERATE INTERVENTION, WHICH NOTED THAT A

SIGNIFICANT GROUP OF STATES (A CLEAR REFERENCE TO MARITIME STATES) NEEDED TO BE ACCOMMODATED IF THEY WERE TO BECOME PARTIES, INDICATED THAT IN ITS VIEW, BASING NEGOTIATIONS UPON THE EVENSEN TEXT WOULD BE DESIRABLE. MEXICO IMPLICITLY ACCEPTED THIS PROCEDURE.

3. TANZANIA, PEUR AND URUGUAY CONTINUED TO BE PARTICULARLY OUTSPOKEN IN SUPPORT OF THEIR POSITION, I.E., THE EXCLUSIVE ECONOMIC ZONE IS A ZONE OF NATIONAL JURISDICTION. PERU OUTLINED THEIR OPPOSITION TO US PROPOSED AMENDMENTS IN DETAIL ALONG EXPECTED LINES.

4. THE CENTRAL AFRICAN REPUBLIC AND ZAMBIA WERE PARTICULARLY OUTSPOKEN REGARDING RIGHTS OF LANDLOCKED STATES. THE FORMER INTRODUCED A NEW ART. 44(4)(AND CONSEQUENTIAL CHANGES TO ARTS. 51 AND 58). "LANDLOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES SHALL PARTICIPATE UNDER BILATERAL, REGIONAL AND SUB-REGIONAL ARRANGEMENTS IN THE ACTIVITIES REFERRED TO IN CHAPTERS III AND IV OF THIS PART." ZAMBIA ADVOCATED A REGIONAL EXCLUSIVE ECONOMIC ZONE.

5. JAPANESE SUPPORTED HIGH SEAS STATUS, LINKING THEIR ACCEPTANCE OF COASTAL STATE JURISDICTION OVER LIVING RESOURCES IN THE ECONOMIC ZONE WITH HIGH SEAS STATUS. THEY GENERALLY SUPPORTED US AND EC-9 AMENDMENTS BUT DOUBTED DESIRABILITY OF ART. 47.

6. ROMANIANS PROPOSED AN AMENDMENT TO ART. 46(1), LINE 3: ADD AFTER "OVERFLIGHT", " AS THEY ARE EXERCISED ON THE HIGH SEAS".

7. NORWAY PROPOSED THE POSSIBLE INCORPORATION OF ART. 46(2) IN ART. 75.

8. INDIA, SUDAN AND TRINIDAD AND TOBAGO SUPPORTED SUI GENERIS APPROACH.
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